REMARKS / ARGUMENTS

The present application includes pending claims 1-30, all of which have been rejected. By this Amendment, claims 1-21 and 26 have been amended, as set forth above, to further clarify the language used in these claims and to further prosecution of the present application. The Applicant respectfully submits that the claims define patentable subject matter.

Initially, the Applicant notes that a goal of patent examination is to provide a prompt and complete examination of a patent application.

> It is essential that patent applicants obtain a prompt yet complete examination of their applications. Under the principles of compact prosecution, each claim should be reviewed for compliance with every statutory requirement for patentability in the *initial review* of the application, even if one or more claims are found to be deficient with respect to some statutory requirement. Thus, Office personnel *should* state *all* reasons and bases for rejecting claims in the *first* Office action. Deficiencies should be explained clearly, particularly when they serve as a basis for a rejection. Whenever practicable, Office personnel should indicate how rejections may be overcome and how problems may be resolved. A failure to follow this approach can lead to unnecessary delays in the prosecution of the application.

See Manual of Patent Examining Procedure (MPEP) § 2106(II). As such, the Applicant assumes, based on the goals of patent examination noted above, that the present Office Action has set forth "all reasons and bases" for rejecting the claims.

Claims 1-30 stand rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent № 6,574,240, issued to Tzeng (hereinafter, Tzeng). The Applicant

respectfully traverses these rejections at least based on the following remarks.

INFORMATION DISCLOSURE STATEMENT

The Office Action states the following:

> The information disclosure statement filed May 2, 2005 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because US 2002/124114 and US 2002/188718 do not contain the proper number of digits. The correct format is US _ _ _ _/_ _ _ _ _ _ _ . It has been placed in the application file, but the information referred to therein has not been considered as to the merits.

See the Office Action at page 2. The Applicant points out that the May 2, 2005 IDS is now being re-submitted for Examiner's consideration, along with the required filing fee.

REJECTION UNDER 35 U.S.C. § 102

I.   **Tzeng Does Not Anticipate Claims 1-30**

The Applicant now turns to the rejection of claims 1-30 under 35 U.S.C. 102(e) as being anticipated by Tzeng. With regard to the anticipation rejections under 102(e), MPEP 2131 states that "[a] claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." See Manual of Patent Examining

Procedure (MPEP) at 2131 (internal citation omitted). Furthermore, "[t]he identical

invention must be shown in as complete detail as is contained in the … claim."

See id. (internal citation omitted).

A.   Rejection of Independent Claim 1 under 35 U.S.C. § 102 (e)

With regard to the rejection of independent claim 1 under 35 U.S.C. §

102(e), the Applicant submits that Tzeng does not disclose or suggest at least the

limitation of "receiving at least one packet from a first blade server of a plurality of

blade servers, at least two of which are coupled to a common bus," as recited by

the Applicant in independent claim 1.

> The Office Action refers for support to Tzeng and states the following:

> As per claims 1, 11, and 21 Tzeng discloses a method for
> communicating information in a server, the method comprising:
> receiving at least one packet from a first blade server of a plurality
> of blade servers, at least a portion of which is coupled to a common
> bus; (Col 4 lines 22-30); determining at least one identifier
> associated with at least a second blade server based on at least a
> portion of said received at least one packet; and (Col 5 lines 46-59);
> routing at least a portion of said at least one received packet to at
> least said second blade server. (Col 6 lines 4-18).

See the Office Action at page 3. The Office Action relies on col. 4, lines 22-30 of

Tzeng, which states the following:

> FIG. 3 is a flow diagram illustrating an example of the type of layer
> 3 processing that might be performed for an incoming data packet.
> The flow diagram of FIG. 3, conventionally implemented in

software, would involve checking whether the incoming data packet was a hypertext transport protocol (HTTP) packet in step 50, an SNMP packet in step 52, or a high-priority packet in step 54. The appropriate tag would then be assigned identifying the packet in steps 56, 30 57, 58, or 60.

Initially, the Applicant points out that Tzeng relates to layer 3 learning and layer 3 switching of data packets in a non-blocking network switch configured for switching data packets between sub-networks. *See* Tzeng, col. 1, lines 8-11. **Tzeng, therefore, does not relate to communicating information in a server**, as recited in Applicant's claim 1.

Furthermore with regard to the above citation of Tzeng (col. 4, lines 22-30), the Applicant points out that Figure 3 of Tzeng illustrates exemplary layer 3 processing for an incoming data packet. The Applicant is confused as to why the Office Action refers for support to col. 4, lines 22-30 since this citation of Tzeng does not disclose receiving of a data packet from a blade server. In fact, Tzeng also does not disclose a plurality of blade servers, where at least two of the blade servers are coupled to a common bus.

Therefore, the Applicant maintains that Tzeng does not disclose or suggest at least the limitation of "receiving at least one packet from a first blade server of a plurality of blade servers, at least two of which are coupled to a common bus," as recited by the Applicant in independent claim 1. Accordingly, independent claim 1 is not anticipated by Tzeng and is allowable.

Furthermore with regard to the rejection of independent claim 1 under 35 U.S.C. § 102(e), the Applicant submits that Tzeng does not disclose or suggest at least the limitation of "determining at least one identifier associated with at least a second blade server based on at least a portion of said received at least one packet," as recited by the Applicant in independent claim 1.

The Office Action relies on col. 5, lines 46-59 of Tzeng, which states the following:

> The layer 3 switch logic 44 switches a received data packet according to layer 3 protocols in response to the port filter's 20 determination of the presence of prescribed layer 3 information. Each incoming data packet with prescribed layer 3 information detected contains a source and destination Internet protocol ("IP") address. Each data packet also contains a source and destination media access control ("MAC") address. In response to a learn signal from the port filter 24, the layer 3 switch logic 44 stores the source IP address along with the source MAC address, forming an association in a memory in the layer 3 switch logic 44. Hence, the layer 3 switch logic 44 "learns" the IP-The method according to claim association of an incoming data packet when learning is enabled.

The above citation of Tzeng discloses how switching of data packets is performed by the switch logic 44. In addition, Tzeng also discloses that the incoming data packets contain source and destination MAC and IP addresses. As stated above, Tzeng does not disclose that the incoming data packets are received from one of a plurality of blade servers, as recited in claim 1. Furthermore, Tzeng does not disclose or suggest determining of an identifier associated with at least a second

blade server, based on the incoming (received) data packets, as recited in claim 1.

The Applicant maintains that Tzeng does not disclose or suggest at least the limitation of "determining at least one identifier associated with at least a second blade server based on at least a portion of said received at least one packet," as recited by the Applicant in independent claim 1. Accordingly, independent claim 1 is not anticipated by Tzeng and is allowable. Independent claims 11 and 21 are similar in many respects to the method disclosed in independent claim 1. Therefore, the Applicant submits that independent claims 11 and 21 are also allowable over the references cited in the Office Action at least for the reasons stated above with regard to claim 1.

B.   Rejection of Dependent Claims 2-10, 12-20 and 21-30

Based on at least the foregoing, the Applicant believes the rejection of independent claims 1, 11 and 21 under 35 U.S.C. § 102(e) as being anticipated by Tzeng has been overcome and request that the rejection be withdrawn. Additionally, claims 2-10, 12-20 and 21-30 depend from independent claims 1, 11, and 21, respectively, and are, consequently, also respectfully submitted to be allowable.

Applicant also reserves the right to argue additional reasons beyond those set forth above to support the allowability of claims 1-30.

CONCLUSION

Based on at least the foregoing, the Applicant believes that all claims 1-30 are in condition for allowance. If the Examiner disagrees, the Applicant respectfully requests a telephone interview, and request that the Examiner telephone the undersigned Attorney at (312) 775-8176.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

A Notice of Allowability is courteously solicited.

Respectfully submitted,

Date: 23-JUL-2007

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